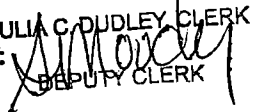


JAN 08 2018

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK  
BY:  DEPUTY CLERK

UNITED STATES OF AMERICA	)	Criminal Action No. 7:13CR00059
	)	(Civil Action No. 7:17CV81241)
v.	)	
	)	<b><u>FINAL ORDER</u></b>
SAMUEL LEWIS FENNELL,	)	
	)	By: Hon. Glen E. Conrad
Defendant.	)	Senior United States District Judge

For the reasons stated in the accompanying memorandum opinion, it is now

**ORDERED**

as follows:

1. The government's motion to dismiss (Docket No. 352) is **GRANTED**;
2. The defendant's motion to vacate, set aside, or correct his sentence under 28 U.S.C. § 2255 (Docket No. 346) is **DENIED**;
3. This action shall be **STRICKEN** from the active docket of the court; and
4. Finding that the defendant has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c), a certificate of appealability is **DENIED**.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the defendant and all counsel of record.

DATED: This 8<sup>th</sup> day of January, 2018.

  
Senior United States District Judge